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OFFICE OF PETITIONS

In re Application of	:	
Herbert Cramer et al.	:	
Application No. 10/712,047	:	
Filed: November 14, 2003	:	DECISION ON PETITION
Attorney Docket No. 4086-0184P	:	UNDER 37 C.F.R. §1.182
Title: HEADLIGHT FOR MOTOR	:	
VEHICLES	:	

This is a decision on the petition filed February 19, 2004, which is being construed as a request to withdraw the notice mailed February 9, 2004.

On November 14, 2003, the above-identified application was deposited without an executed oath or declaration. On February 9, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (notice)", advising applicant that the application had been accorded a filing date of November 14, 2003, and that it appeared to have been deposited without an executed oath or declaration. The notice indicated that an executed oath or declaration and the surcharge associated with the late filing of the same would be required. The notice set a two-month period for response.

On February 19, 2004, Petitioner submitted the instant petition, along with a postcard which shows that a "combined declaration & power of attorney" was received in the Office on January 14, 2004.

A review of the electronic file confirms that a declaration was received on January 14, 2004, along with the associated surcharge. It appears that this notice was mailed in error.

As such, the petition is **GRANTED**. The notice mailed February 9, 2004 is hereby **WITHDRAWN**. No petition fee has been charged to Petitioner's Deposit Account.

The application file is being returned to the Office of Initial Patent Examination for further processing using the original application papers filed on that date along with the declaration submitted on January 14, 2004.

Any inquiries related to this decision should be directed to the undersigned at (703) 305-0011.



Paul Shanowski
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